

*City of Long Beach*  
*Citizen Police Complaint Commission*

*Annual Report for 1999*

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*Prepared for*  
*The Mayor and City Council*  
*City of Long Beach*





# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

## CITIZEN POLICE COMPLAINT COMMISSION

333 West Ocean Blvd., 2nd Floor • Long Beach, CA 90802 • (562) 570-6891 • FAX (562) 570-7140

HENRY TABOADA  
City Manager

RONALD C. WAUGH  
Executive Director

January 11, 2001

Honorable Mayor and Members of the City Council:

It is my pleasure to present to you the 1999 Annual Report for the *Citizen Police Complaint Commission*. Included in the report are the final statistics for the cases receiving commission review within the calendar year.

Although there is a noticeable increase in the total number of allegations filed, the overwhelming majority of these allegations were ruled unfounded. During the reporting period, the Commission observed a heightened public awareness in the police complaint process. This alertness coupled with the on-going national focus on community policing may have contributed to the overall increase of complaints received.

During 1999, the *Citizen Police Complaint Commission*, through public speaking engagements, conference attendance and professional consultations, enjoyed increased visibility within the City and the national community-policing arena. This positive recognition speaks highly of the Commission staff, Commissioners and the Commission's policy and procedure. The citizens, businesses and visitors of Long Beach have a valuable resource in the *Citizen Police Complaint Commission*. The Commission provides an opportunity to voice a citizen complaint concerning alleged police misconduct with the promise of a thorough, impartial and timely investigation.

I would like to acknowledge the Commission's executive staff and City Clerk's commission support staff for their diligence, attentiveness and dedication. On behalf of the Commission, I wish to extend my appreciation to Gerald R. Miller, Assistant City Manager for his support, advice and guidance, as consultant to the CPCC. To my fellow Commissioners, a special thanks for their enthusiasm, passion, and commitment.

Finally, I thank the people of Long Beach for placing their trust in the members of this Commission. I truly believe the City of Long Beach is well-served and a better community because of the efforts of the *Citizen Police Complaint Commission* and those who support its mission.

Sincerely,

Gary J. Cooper, Chair  
Citizen Police Complaint Commission

**ANNUAL REPORT  
1999  
Citizen Police Complaint Commission  
City of Long Beach**

**Commissioners**

Gary J. Cooper, Chair  
Harvey Keller, Vice Chair  
Eleanor Aguilar  
Grant Boyer  
John Lee Cross  
Joanne DeVere  
Chris Dillon  
Judy Everson  
Val Lerch  
Dan Lowenthal  
Vivian Tobias  
Dan Baker\*\*  
Naomi Ferns\*  
Robert King\*  
Mike Kowal\*  
Michael Orlito\*  
Alan Tolkoff\*

**Staff**

Ronald C. Waugh, Executive Director  
William Ward, Investigator  
Thomas Gonzales, Investigator  
Anitra Dempsey, Investigator  
Alida Hayes, Executive Secretary  
Marcee Siegel, Clerk Typist II

**Consultant to Commission**

Gerald R. Miller  
Assistant City Manager

Citizen Police Complaint Commission  
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Long Beach, California 90802  
Office: (562) 570-6891  
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Internet: [www.ci.long-beach.ca.us/cpcc/index.htm](http://www.ci.long-beach.ca.us/cpcc/index.htm)

\* (Term expired June 1999)  
\*\* (Elected to City Council)



# **CITIZEN POLICE COMPLAINT COMMISSION**

## ***ROLE OF THE CITIZEN POLICE COMPLAINT COMMISSION***

On April 10, 1990 the voters of the City of Long Beach approved the creation of the Citizen Police Complaint Commission by adding Sections 1150 – 1155 to the City Charter. This Amendment authorized the Commission to receive and investigate complaints of police misconduct with emphasis on allegations of *Excessive Force, False Arrest, and Racial and/or Sexual Overtones*.

The Commission's primary role is that of fact-finding and making recommendations relative to reported police misconduct to the City Manager. The Commission is neither an advocate for the complainant(s) nor police officer(s). The Citizen Police Complaint Commission is empowered to conduct hearings and, through the City Attorney's office, may subpoena witnesses and records when necessary to facilitate the fact-finding process.

The Citizen Police Complaint Commission plays a vital role in representing the people of Long Beach. Individuals who prefer not to complain directly to the Police Department have the option to file their grievance with the Commission, which is a completely civilian organization. However, citizen complaints received directly by the Police Department are copied and sent to the Commission for preliminary review. At its discretion, the Commission may exercise its authority to request further investigation on behalf of the complainant.

The investigative process is aimed at capturing all allegation-related facts. Although Commission investigators review allegations independent of the Police Department, the Commissioners or the Executive Director will order further investigation only when the Police Department has not conducted a comprehensive case study.

The Commission Staff accepts the Police Department's investigation as a basis for their independent review and evaluation. As part of this process, additional interviews of witnesses and complainants, as well as site visits are routinely conducted by Commission staff. Whenever staff discovers new facts or data, the pertinent information is shared with the Police Department.

The Citizen Police Complaint Commission serves the community by providing an impartial viewpoint of alleged incidents and applying the "reasonable person's" standard in addressing complaints of police misconduct. The Commission makes findings-of-fact on cases brought before it and submits those findings to the City Manager. Cases heard by the Commission also receive formal review by the Police Chief's senior staff. The Police Chief's disposition of allegations, with the Commission's findings, are presented to the City Manager for final case determination.

The Commission's final findings and recommendations often provide valuable insight into the community's perception of the Police Department. This insight can assist with Police personnel training and public relations. It should be noted the intent and limitations of the Commission prevent the recommendation of discipline or penalty.



# **MISSION STATEMENT**

## **Citizen Police Complaint Commission City of Long Beach**

The mission of the Citizen Police Complaint Commission is to provide independent, impartial, and objective civilian oversight of the Long Beach Police Department under the authority of Sections 1150-1155 of the City Charter. Special emphasis is placed on those complaints from the public involving allegations of excessive force, false arrest, and racial and/or sexual overtones. Civilian oversight is provided by qualified members of the community who are appointed to the Commission by the Mayor and the City Council. The Commission is a fact-finding body, supported by an administrative and investigative staff that relays the Commission's findings and recommendations to the City Manager who, by Charter, makes the final determination in matters of alleged police misconduct.

The goals of the Commission include, but are not limited to, improving the demeanor of the officers toward the public and restoring community trust in the local law enforcement agency. The Commission endeavors to accomplish these goals by maintaining an atmosphere of mutual trust and understanding between the community, the police department, and the Citizen Police Complaint Commission.

## **HEARINGS AND INVESTIGATIONS**

To date, the Commission has not found it necessary to hold a formal hearing where the subpoena or testimony of witnesses was required. The current review process made formal hearings unnecessary at this time. However, hearings may be held if an incident having significant public impact occurs. The effectiveness of the hearing process in obtaining facts will remain unknown until such an incident occurs. The police action review process has been cost-effective in obtaining the facts regarding allegations brought before the Commission.

During this reporting calendar year, the staff investigated and thoroughly reviewed 200 complaints with a total of 565 allegations of police misconduct. These allegations were forwarded to the Commission for its consideration. The Commission's findings were distributed throughout twenty-one categories and are illustrated in the attached charts and graphs.

## **THE LONG BEACH MODEL**

Since 1990, a greater nationwide emphasis has been placed on the value of providing civilian oversight to the various law enforcement agencies. As a result, professional, non-profit organizations have been instituted to provide support to newly formed, evolving and established civilian oversight/review boards. The National Association for Civilian Oversight of Law Enforcement (NACOLE) is one of these organizations. The September 2000 NACOLE Convention, hosted in Hawaii, included an open forum and provided the practitioners of civilian oversight with the opportunity to dialog and exchange information.

As a recognized leader in the citizen-policing field, the City of Long Beach Citizen Police Complaint Commission investigative staff was requested to participate. Thomas Gonzales, Commission Investigator, represented Long Beach as a featured speaker and panelist.

The Commission's highly visible involvement in the NACOLE conference has enhanced the CPCC's national status and reputation.

During the conference, various civilian oversight/review systems were discussed. Three distinct models were identified as those being used most frequently by the various boards. The first system was described as an **Independent, Investigative** model. This style investigates complaints and, based on the findings, makes recommendations regarding discipline and policy. The second system is identified as being a **Monitoring** model. This process reviews the investigations completed by the police department's Internal Affairs Division and simply makes findings based on agreement or disagreement with the Internal Affairs investigation. This model may ask for further investigation. The third system was described as an **Auditor/Ombudsman** model, having the power to compel evidence. This process reviews Internal Affairs investigations, conducts its own investigations, and conducts investigations not generated by complaints. The model used by the City of Long Beach varies from the three basic models and was specifically identified as being a **Hybrid** model. The Long Beach Hybrid process reviews investigations completed by the Long Beach Police Department's Internal Affairs Division, and when the need arises, initiates audits, and may conduct additional investigations. The Long Beach CPCC determines findings based on the results of the investigation but does not recommend discipline.

As the Citizen Police Complaint Commission's system evolves, many community-policing agencies recognize Long Beach as the best combination of all working models. Two California communities, Riverside and Claremont, have recently adapted the Long Beach model for their review boards. Ronald Waugh, Executive Director of the CPCC, served as an oral board member for the City of Riverside's Executive Director search. Mr. Waugh continues to assist Riverside's *Community Police Review Commission* executive staff with their complaint processing procedure, standard of operations, tracking system and coordination with the City's police department.

## GOALS AND OBJECTIVES

From its inception, the long-range goal of the Citizen Police Complaint Commission has been the restoration of public trust in their community law enforcement agency. Additionally, the improvement in the demeanor of police officers, and in their interactions with the public is also an important goal of the CPCC. The Commission believes that if it can assure that police officers take appropriate action while interacting with the public, the community will more readily support the police. When the public supports the police, they become personally involved in the law enforcement effort and contribute to crime reduction within the City. A proven benefit of both goals is that cities with low crime rates attract new businesses, encourage tourism, improve the quality of community life and retain long-term residents.

The City Auditor's May 1999 report on the Long Beach Police Department indicates that the long-range objective of the CPCC is being achieved. In 1993, only 42% of the surveyed respondents believed the Long Beach Police Department had a positive image in the community. By 1997, that figure jumped to 63% and in 1999 that figure increased to 65%. This continuing upward trend indicates that the community has a more positive perception of the Police Department due, in part, to the efforts of the Citizen Police Complaint Commission.



The Commissioners and staff believe the "reasonable person's standard," by which the Commission operates, is helping police employees and complainants have a more favorable understanding of police department actions. Additionally, this standard is used to ensure that police conduct is appropriate and acceptable--diminishing the public's need to file complaints of misconduct. The desired result is to encourage understanding and harmony between the community and law enforcement. The CPCC has and will continue to strive for preservation of community trust in its law enforcement agency by assuring fairness and accountability.

The major objective for the future is to establish, preserve and encourage an atmosphere of positive police community relations that will promise fair treatment in all aspects of law enforcement within Long Beach. Maintaining this standard will provide the ideal environment for increased tourism and improved quality of life.

## **REPORTS**

By monitoring complaints and allegations the Executive Director reports obvious and developing trends related to police misconduct and public perception to the City Manager. As they emerge, these trends also are shared with the Chief of Police. The Commission has found that certain patterns may indicate an increase in specific allegations based on public perception, media attention and/or incidents occurring locally or nationally. This reporting procedure is necessary to assist with police officer review and to assess individual and department training needs. The Long Beach Police Department employs the *Early Warning System*, which is a computerized method of identifying problematic officers who deviate or stray from Department policy.

Commission meetings are conducted monthly during the calendar year. The frequency with which the Citizen Police Complaint Commission meets adds to its ability to receive, investigate, deliberate, and make findings regarding a public complaint of police misconduct in a timely manner.

## **TECHNOLOGY ALLOWS BETTER TRACKING**

The Citizen Police Complaint Commission maintains an ever-evolving database dating back to 1996. The database stores case information on complainants and involved police personnel. The tracking system also includes details of alleged incidents, the nature of the allegations and the basic types of activities the officers were engaged in at the time the incidents/allegations occurred. Initial incident information is updated as cases progress through the complaint process to their conclusion.

Currently, the CPCC is exploring compatible computerized systems to enhance the existing program. We foresee the feasibility of identifying complaints by City Council Districts and police reporting districts, as well as locating areas within the City that may reveal concentrations of specific allegations. Our intent is to utilize the demographics reported in the 2000 census and partner those statistics with information in our database. The combined statistics, when properly analyzed, will help to geographically identify developing trends and areas reporting an increase or decrease in allegations of police misconduct. This information will be provided to the City Manager for appropriate disposition.

## **RELATIONSHIP WITH STAFF**

The Commissioners enjoy an excellent relationship with Commission staff and the City Manager. The CPCC staff is a dedicated, well-organized team committed to supporting the Commissioners in every aspect of their responsibilities. Staff provides insight and background to assist the Commissioners in reaching fair and impartial case findings. The staff does not make recommendations of findings or exercise influence over the Commissioners.

## **NEW CHIEF CONTINUES TO WORK WITH THE CPCC**

The Citizen Police Complaint Commission enjoyed a long and cooperative working relationship with Chief Robert Luman, the former Chief of the Long Beach Police Department. During this *Annual Reporting Period*, Jerome Lance was appointed Chief of the Long Beach Police Department, succeeding Chief Luman. Under Chief Lance's leadership, the Long Beach Police Department has continued to work closely with the CPCC. Chief Lance has fostered better understanding between the CPCC and the Long Beach Police Department by permitting ride-alongs for the Commissioners and Commission staff, encouraging open communication with the Police Department's Internal Affairs Division and developing training, relative to police procedures and policy. This spirit of cooperation has helped to improve police community relations and allowed the CPCC to process their cases in a more efficient and expedient manner.

## **INTERACTION WITH POLICE DEPARTMENT**

The Commission, and/or its staff, has met with Chief Lance and Internal Affairs offering suggestions on specific complaints while reviewing police tactics and patterns of misconduct. Chief Lance has openly accepted the good-faith suggestions and issues raised by the Commissioners. Following review of this information, Chief Lance has provided feedback to the Commission on how the Department received and addressed their comments.

The Commissioners commend the Chief for allowing them the opportunity to suggest recommendations, which may be in conflict with current policy, and for accepting that information in good faith. The Commissioners are fully aware that they do not have the authority to formulate or dictate police department policy. However, the Commissioners would be remiss if they did not inform the Chief of observations they have made which could assist the Chief in improving the performance of the Department and enhancing the philosophy and concept of community policing.

## **RELATIONSHIP WITH THE LONG BEACH POLICE OFFICERS ASSOCIATION**

The Commission and staff have developed and maintain a cooperative relationship with the Police Officers Association. The present and past Police Officers Association presidents have all addressed the Commission and attended meetings. Their dialogue has been very positive and the Commission makes every effort to continue that open and positive relationship.

## **INVESTIGATIVE PROCESS**

Although the Commission officially implemented its operational system in 1991, it was not until



1992 that a consistent method of collecting and analyzing data was put into practice. In 1994, the Commission refined its policy to exclude complaints that were invalid on their face and/or were complaints of police service, which were not violations of Police Department policy.

As a part of the policy change, the Commission delegated authority to the Executive Director to initially screen new complaints. This expedited the preliminary review process and reduced time spent on frivolous and intentionally misleading complaints of misconduct. The need to redefine the policy was based on a number of complaints that had no foundation in fact to suggest a complaint.

In 1996, the Commission staff computerized the complaint tracking process to accurately reflect data available for analysis. The CPCC database provides the statistics and information used for annual analysis and year-to-year comparisons. The stored data is consistent with Commission findings.

### **MEETINGS**

The Commission met eleven times in public session during 1999. By Commission policy, these meetings were convened in the City Council Chambers at 6:30 p.m. on the second Thursday of each month. The public was welcome to participate in these sessions. The Commission was dark in October due to out-of-town business attended by the Executive Director and Commission staff.

Each month after general business was completed, the Commission entered into closed session to discuss specific details of allegations appearing on that meeting's agenda. Following discussion, the Commissioners voted to determine appropriate findings for each case. Executive session is confidential and the public cannot attend or participate.

Two special meetings were held in 1999. On February 27 and August 28, 1999, study sessions were arranged for Commissioners and CPCC staff at the Long Beach Police Department's Academy. Both meetings focused on an overview of Internal Affairs procedures, weaponless defense training, firearms training, a jail tour, and a less-than-lethal-force overview. The main intent of both sessions was to familiarize the Commissioners and staff with current police department policies and procedures so that they may have a better understanding of criminal behavior, police tactics, and procedures.

### **DELAY IN SUBMITTING THE 1999 CPCC ANNUAL REPORT**

To accurately calculate the number of incidents and types of misconduct allegations received within the annual reporting period, final computing must be delayed to optimize the number of completed investigations received from Internal Affairs. There are a number of reasons why investigations may be delayed. Case research may be extremely complex, involve multiple witnesses, and/or accuse more than one officer of misconduct. Upon the completion of an investigation, the police review process may demand scrutiny and formal review at numerous levels within the police department. Finally, allegations of police misconduct are accepted up to one year from the date of the alleged occurrence and may not be reported by the complainant in a timely manner. For these reasons accuracy dictates formal reporting occurs near the end of the year following the reporting period.

## FINDINGS and ALLEGATIONS

<b>FINDINGS</b>	<b>1998</b>	<b>1999</b>
UNFOUNDED	25.9%	50.8%
EXONERATED	0.3%	1.9%
INCONCLUSIVE	55.6%	23.4%
SUSTAINED	5.1%	3.2%
RECEIVE & FILE	13.1%	13.3%
PENDING	0%	7.4%
	<b>1998</b>	<b>1999 % of Change</b>
Total Complaints Received	119	200 +68%
Total Allegations Received	313	565 +81%
<b>MAJOR ALLEGATION CATEGORIES AS DEFINED BY CHARTER</b>		
Use of Force	112	194 +73%
Improper Arrest / Detention	6	38 +533%
Improper Racial Remark	4	12 +200%
Improper Sexual Remark	3	8 +167%
Total Allegations	125	252 +102%

Initially, the overall major allegation category increase in 1999 of 102% appears excessive, as does the 73% increase for Use of Force. However, in the overall major allegation category 63% of the findings were unfounded. Sustained allegations increased slightly in 1999. Of the total 565 allegations for 1999, 34%, or 194, were for Use of Force. Only four allegations of Use of Force were Sustained. The majority of findings for Use of Force, 125, or 64%, fell in the Unfounded category, and 35, or 18%, fell in the Inconclusive category.

The Commission believes that the sharp increase in complaints/allegations can probably be attributed to two distinct factors. During 1999, the CPCC engaged in an aggressive public relations effort to publicize the existence and mission of the CPCC by making appearances before various community groups. Additionally, the Long Beach Police Department, Internal Affairs Division, participated in many of these appearances. The controversy surrounding the Los Angeles Police Department and other police agencies around the nation has heightened the public's awareness concerning police misconduct and options for reporting alleged incidents of misconduct, possibly contributing to the increase the CPCC has seen in complaints/allegations.

The Commission believes that the sharp increase in Unfounded allegations, especially in the area of Use of Force, as well as the slight increase of Sustained allegations, is significant and is a combination of several factors. These factors are the ongoing efforts of the Long Beach Police Department to train its officers in the proper Use of Force, the reporting of these incidents and the higher quality of investigations by the Internal Affairs Division, along with the quality assurance checks and follow-up investigations by Commission investigators. An overall increase of two Sustained allegations is laudable, especially in light of the sharp increase in Unfounded allegations.



The Commissioners note that while 41% of the complainants were African American, this group represented only 15% of the total Long Beach population. However, the percentage of complaints from the same group dropped from 49% in 1998 to 41% in 1999. The following shows complaint trends from 1996 to 1999. Attached graphs further illustrate the statistics.

<u>Reporting Year</u>	<u>Number of Investigated Complaints</u>	<u>+/- to Prior Year</u>
1996	216	-10.4%
1997	183	-15.3%
1998	119	-35.0%
1999	200	+68.0%

The total number of cases heard by the Commission during the past four years has remained consistent, with the exception of 1998. In 1998, there was a caseload decrease of 35% compared to 1997.

The Commission has no control over the number of complaints it receives within a reporting period. Since complaints are either reported directly by the complainant or submitted by Internal Affairs, Commission staff acts on complaints as they are received. A number of factors contribute to the increase/decrease in citizen complaints which include public awareness of the Commission and its function, popular perception of police conduct toward the public, media focus and current community issues within the annual reporting period. The intent of this report is not to make hypothetical conclusions, but to present the statistics as they are compiled and supported by available facts. Therefore, the *fluctuation* for year-to-year actual total caseload is a result of many factors, none of which are supported by information calculated and tracked by the Commission.

Although the 1999 complaints of police misconduct greatly increased over the previous year, the year-end totals are consistent with 1996 and 1997. The increase seems significant since the 1998 total is much less than the annual average in all other reporting years.

In 1998, the majority of findings were **Inconclusive**, neither supported nor disproved by available facts. Only one allegation was **Sustained** that year. However, a dramatic change evolved in the 1999 statistics with the majority of findings being **Unfounded**. An *unfounded determination* means, based on Commission findings, the City Manager decided, "...no basis or foundation in fact and there was no information or evidence that supported the allegation, and/or the Complainant was found to be untruthful based on factual information."

A review of the accused officers during 1999 revealed: eight officers received between eight-and-fourteen separate allegations, eighteen officers received between five-and-seven separate allegations, and 179 officers received between one-and-four separate allegations.

The *Early Warning System* of the Long Beach Police Department tracks those officers receiving a high number of misconduct complaints to determine if the officers are "off track." Retraining and counseling are tailored to meet the personal needs of the individual officers. The Department closely monitors their progress and evaluates the results.

Occasionally, issues in an officer's private life may create on-duty problems. When personal problems have been determined to interfere with the officer's performance, the Department will offer help through the *Employee Assistance Program* and *The Peer Counseling Program*. When the problem is resolved, the officer is expected to return to his/her acceptable level of performance. The Commission is supportive of this intervention and indirectly assists in the effort.

**TOTAL ALLEGATIONS INVESTIGATED IN 1998 – 313**

<b>Categories</b>	<b>*NOA</b>	<b>Percentage of Total</b>
Discourtesy	26	8.3%
Dishonesty	10	3.2%
Fail to Investigate	8	2.6%
Failure to Book Evidence	3	1.0%
Failure to Care for Property	11	3.5%
Failure to Take Action	12	3.8%
Failure to Take Report	4	1.3%
Harassment	37	11.8%
Improper Arrests	4	1.3%
Improper Detention	2	0.6%
Improper Entry	6	1.9%
Improper Search / Personal	11	3.5%
Improper Search / Residential	2	0.6%
Improper Search / Vehicle	2	0.6%
Improper Sexual Remark	3	1.0%
Improper Use of Force	112	35.8%
Misappropriation of Property	17	5.4%
Profanity	39	12.5%
Racial Remark	4	1.3%

\*NOA = Number of allegations filed



**TOTAL ALLEGATIONS INVESTIGATED IN 1999 – 565**

<b>Categories</b>	<b>*NOA</b>	<b>Percentage of Total</b>
Discourtesy	59	10.4%
Discourteous Remark	6	1.1%
Dishonesty	22	3.9%
Fail to Investigate	1	0.2%
Failure to Care for Property	33	5.8%
Failure to Take Action	40	7.1%
Harassment	48	8.6%
Improper Arrest	23	4.1%
Improper Detention	15	2.7%
Improper Entry	2	0.4%
Improper Search / Personal	3	0.5%
Improper Search / Residential	12	2.1%
Improper Search / Vehicle	3	0.5%
Improper Sexual Remark	8	1.4%
Improper Use of Force	194	34.3%
Misappropriation of Property	3	0.5%
Profanity	57	10.1%
Racial Remark	12	2.1%
Sexual Misconduct	1	0.2%
Unbecoming Conduct	21	3.7%
Unauthorized Tactics	2	0.4%

\*NOA = Number of allegations filed

## **FINDINGS AS DEFINED BY THE COMMISSION**

### **UNFOUNDED**

When the allegation clearly has no basis or foundation in fact and there is no information or evidence that supports the allegation, and/or the Complainant has been found to be untruthful based on factual information.

### **EXONERATED**

When the act complained of did occur, but in the judgement of the Commissioners, the actions taken were justified, lawful, and proper.

### **INCONCLUSIVE**

When the allegations cannot be verified by evidence, information or independent witnesses and the officers deny the allegation(s), and there are no independent or unbiased witnesses to support the Complainant's allegation(s).

### **SUSTAINED**

When the act or failure to act is established and is rendered misconduct, and that act or failure to act is supported by evidence, information or unbiased independent witnesses.

### **RECEIVE & FILE**

When information is received which does not, on its face, establish misconduct or failure to act has occurred, that information is received and filed for possible reopening of the case if further information or evidence is submitted. If additional information is received within a year, an investigation may be opened.



## **OBSERVATIONS AND RECOMMENDATIONS**

The appropriate and timely acceptance and recording of public complaints against law enforcement officers is such a significant issue that the State Legislature has promulgated State law to address and ensure that policing agencies establish and maintain a complaint process which is readily available to the community. This process must be credible and have the confidence of the citizenry. The Long Beach Police Department has such a process. Once a complaint is filed with the Police Department or the Citizen Police Complaint Commission, the Long Beach Police Department initiates investigation of the complaint.

Complaints assigned to Internal Affairs investigators are generally more comprehensive and detailed than those assigned to field supervisors or non-specialists in personnel investigations. Because of limited resources, only very sensitive or serious complaints of misconduct are assigned to Internal Affairs investigators. The investigations completed by non-Internal Affairs personnel are not always comprehensive and often lack needed information or require re-investigation.

Commission staff has received complaints from some citizens concerned that the system is skewed against them. Some complainants state that a few complaint intake officers discourage a filing and are argumentative with the complainant. This type of activity certainly taints the process. When the public identifies these officers to the CPCC staff, the Police Department is immediately notified. However, it appears that the majority of these types of complaints arise because of a 1996 California State Law, 148.6 PC. This law mandates that officers "shall" inform complainants that it is a crime to file a false complaint against a peace officer and that they may be subject to arrest and/or civil action for filing a false report.

Another observation that has caused some concern to Commissioners is the lack of follow-up by Internal Affairs investigators in pursuing all aspects of the investigation. In some instances, there is no indication that the investigator attempted to identify unknown officers or witnesses involved in the case. Sometimes, witnesses and officers are not interviewed and, all too often, the involved officers are not requested to directly respond to the specific allegation or accusations of the complainant. An acknowledgement or a direct denial of the allegation(s) is often not recorded. To correct this situation, the Internal Affairs Division has been providing ongoing training to its investigators and supervisors. As a result, the Commission has seen an improvement in the quality of investigations conducted by reporting officers and Internal Affairs.

The Commissioners find their challenges and responsibilities very rewarding and are pleased to be of service to the elected officials, the administration, and, most importantly, to the residents and visitors of the City of Long Beach.

## BUDGETED EXPENDITURES

	Budgeted 1998	Actual 1998	Budgeted 1999	Actual 1999
<b>Personnel</b>	\$258,471	\$196,593	\$283,291	\$278,931
<b>Non-Personnel</b>	\$14,100	\$13,221	\$14,200	\$69,330
<b>Inter-Departmental</b>	\$31,547	\$20,053	\$31,669	\$24,986
<b>Total</b>	\$304,118	\$229,867	\$329,160	\$373,247

## Commissioner Attendance Record for 1999 Citizen Police Complaint Commission

Meetings: **Second** Thursday of every month, beginning at 6:30 P.M.  
Council Chambers, 333 West Ocean Blvd., Long Beach, CA

<b>Commissioner</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
Aguilar, Eleanor	E	P	P	P	P	P	P	P	P	NM	P	P
Baker, Dan	P	E	E									
Boyer, Grant	P	P	P	P	P	P	P	P	P	NM	E	P
Cooper, Gary	P	P	P	P	P	P	E	P	E	NM	P	P
Devere, Joanne	P	P	P	P	P	P	P	P	P	NM	P	P
Ferns, Naomi	E	P	E	P	E	P						
King, Robert	E	P	P	E	E	E	P	P	P	NM	P	P
Kowal, Mike	P	E	P	P	P	P						
Mower, Norma	P	E	P	A	A							
Orlito, Michael	P	E	E	P								
Tolkoff, Alan	P	P	P	P	P	P						
Cross, John							P	P	P	NM	P	P
Dillon, Chris							P	P	P	NM	P	P
Everson, Judy							A	P	P	NM	E	E
Keller, Harvey							P	P	P	NM	P	P
Lerch, Val							P	P	P	NM	P	P
Lowenthal, Dan											P	P

P = Present    A = Absent    E = Excused Absence    NM = No Meeting     Not Commissioners



# **APPENDIX**

## **BIOGRAPHICAL INFORMATION**

### **Ronald C. Waugh** ***Executive Director***

Recently retired from the Los Angeles Police Department, Mr. Waugh brings thirty years of law enforcement experience to the position of Executive Director. His career in community policing began as a patrol officer where he gained insight into criminal behavior and community perception. As his career progressed, he was selected to join the Narcotics Detective Detail in 1972. He also served as an investigator of welfare fraud and environmental crimes before becoming a field supervisor in 1991. In his final position with the Department as Watch Commander, he served as a sergeant managing 110 police employees and investigated complex personnel issues. Upon his retirement in 1999, Mr. Waugh accepted the position as investigator for the Long Beach Citizen Police Complaint Commission. He was promoted to Executive Director six months later in August 1999. Mr. Waugh resides in San Pedro.

### **William Ward** ***Special Investigator***

A resident of Irvine, Mr. Ward joined the CPCC investigative staff in July 2000. Mr. Ward is recently retired from the Los Angeles Police Department. His last service assignment was that of Administrative Lieutenant at Detective Headquarters Division. Mr. Ward's career with the Los Angeles Police Department spanned more than thirty years of service. Much of his duty involved investigating, reviewing and making recommendations regarding issues of police misconduct. Mr. Ward is a native Southern Californian. He is a graduate of Los Angeles Harbor College and California State University at Los Angeles, where he earned his Bachelor's degree in Police Science and Administration.

### **Anitra Dempsey** ***Special Investigator***

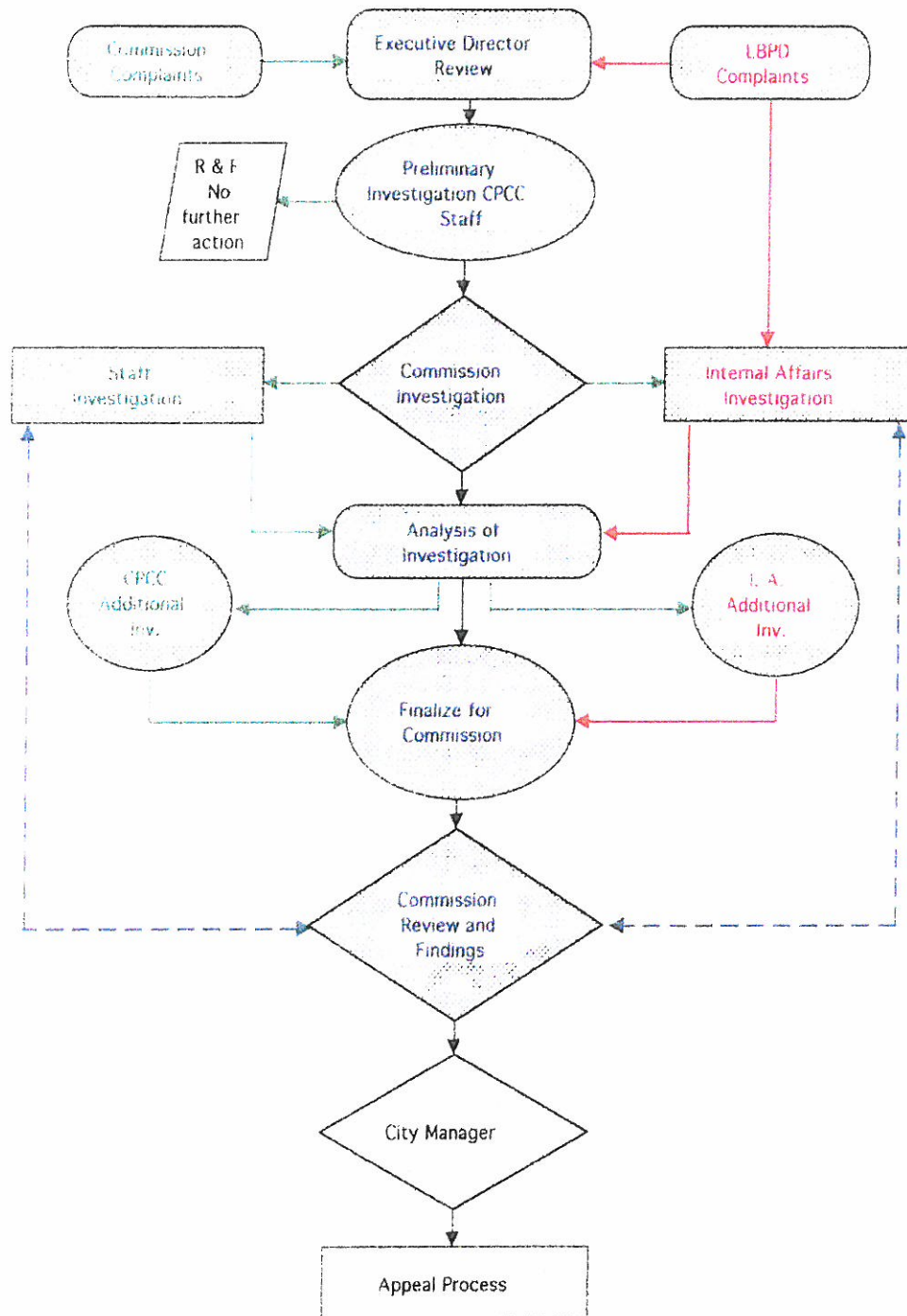
Ms. Dempsey is the current Human Dignity Coordinator for the City of Long Beach. She is responsible for enforcing the City's Human Dignity Ordinance, which states in part "Everyone has the right to be treated with courtesy and respect, regardless of their racial background, their nation of origin, the religion they practice, their sexual orientation, gender, or disability status." Prior to her appointment to the Human Dignity Program, Ms. Dempsey served as an investigator for the CPCC and the Neighborhood Nuisance Abatement Program. Ms. Dempsey began her career with the City of Long Beach at the Police Department where she spent 10-years in a variety of assignments. Ms. Dempsey resides in Cerritos. She is active in the Long Beach community and a member of many neighborhood and civic organizations. She has a Bachelor's degree in Political Science/English and is studying for her jurist doctorate.

**Thomas Gonzales**  
***Special Investigator***

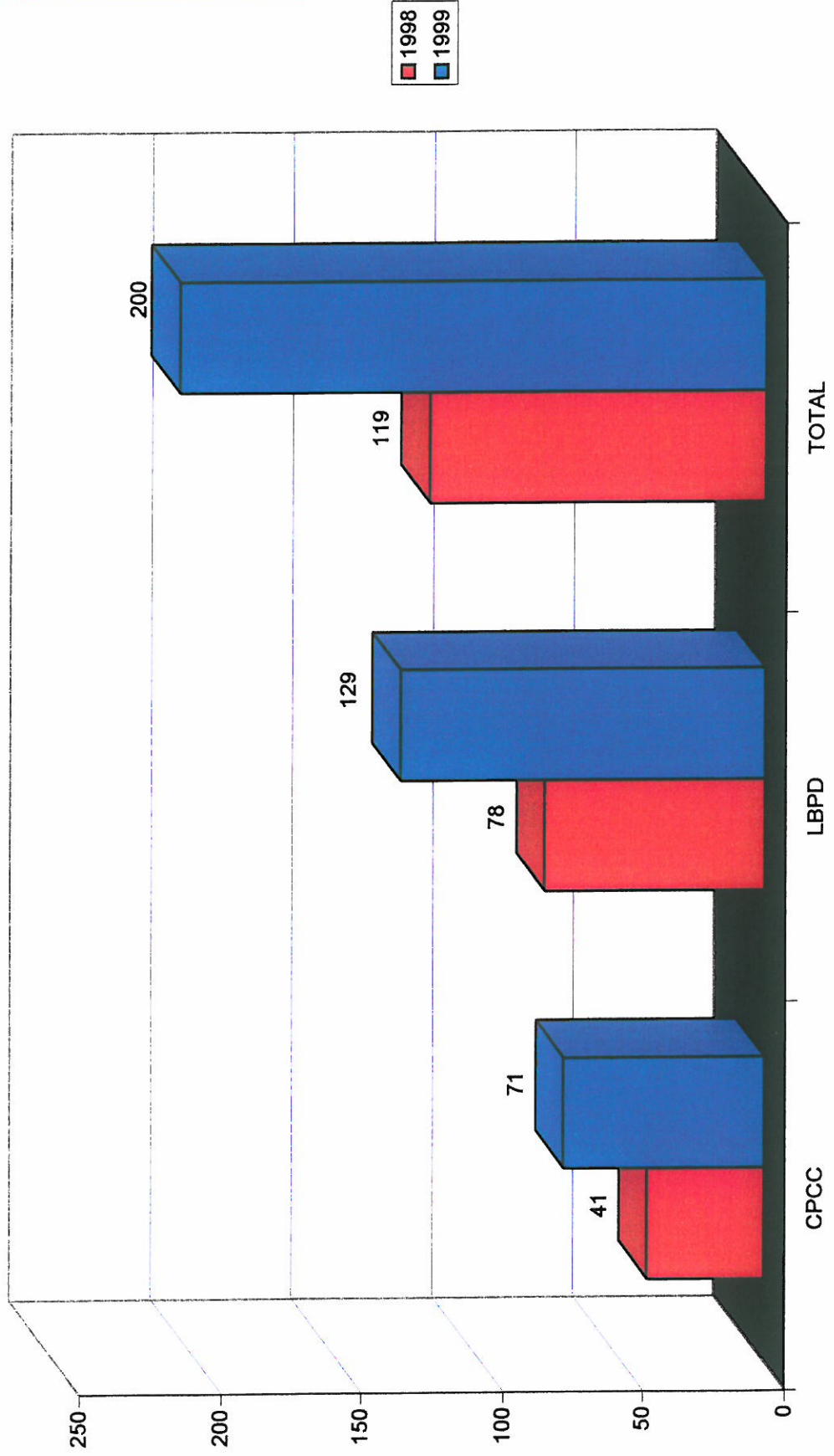
Mr. Gonzales graduated from Garfield High School in East Los Angeles. He furthered his education at San Francisco State University, earning a Bachelor's degree in Speech and Communication Studies and a Masters degree in Creative Writing. He began his professional career as Executive Director of the Marvella Association for Progressive Community Action, a federally funded community action program in East Los Angeles. Later he worked with the United Farm Workers of America (UFWA) as a Union Organizer. His position with the UFWA led him to a career in civil rights investigation for the Office of Fair Housing and Equal Opportunity, the enforcement branch of the US Department of Housing and Urban Development. After his retirement from the federal government, Mr. Gonzales moved back to Southern California. In November 1999, he was hired as an investigator for the CPCC. Mr. Gonzales resides in Long Beach. He is active in the Long Beach community and a member of many neighborhood and civic organizations.



City of Long Beach  
Citizen Police Complaint Commission  
Complaint and Investigation Process

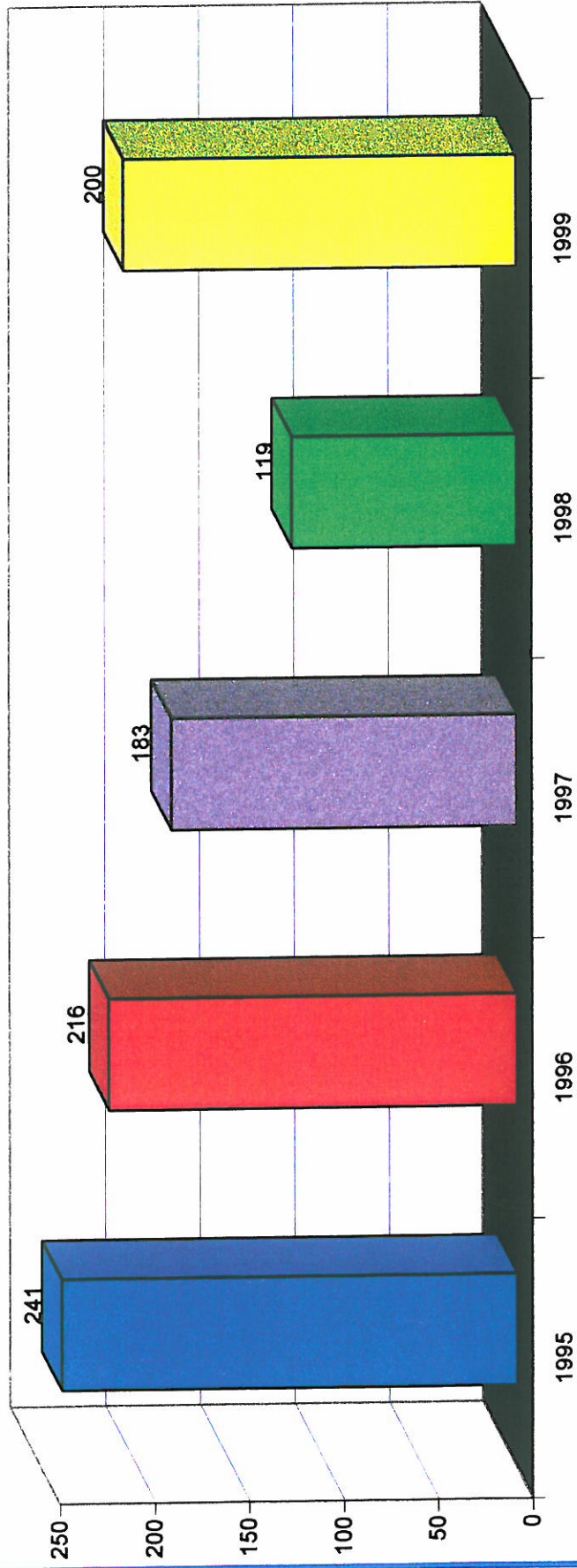


# COMPLAINT SOURCES 1998 - 1999

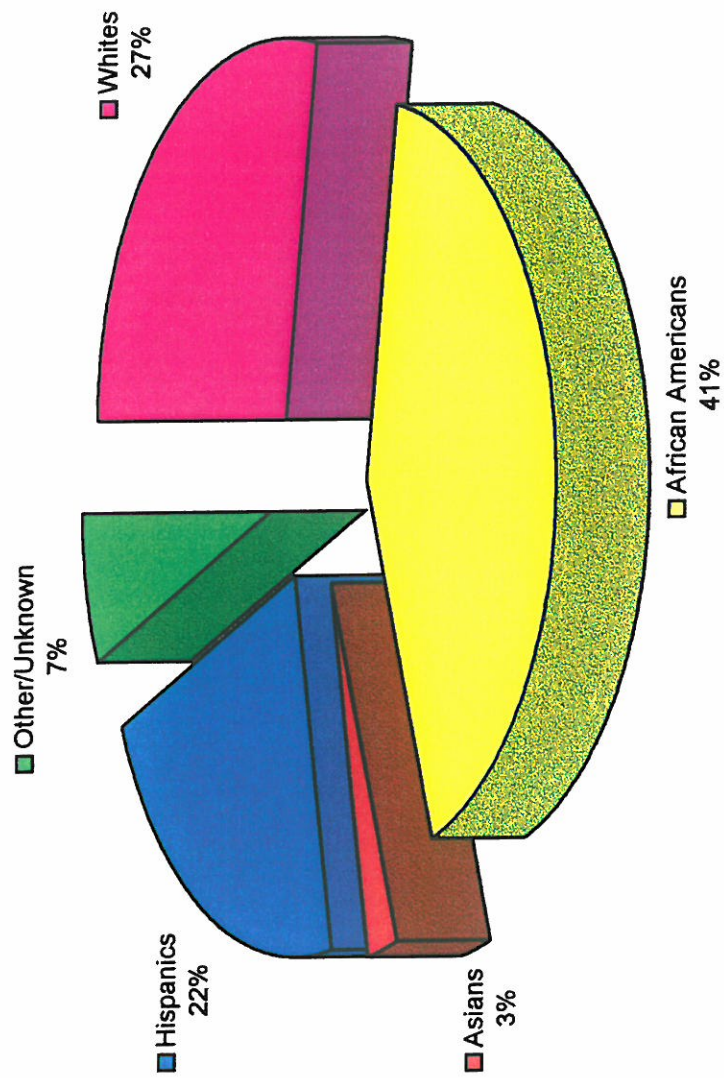




# COMPLAINTS FILED 1995 - 1999



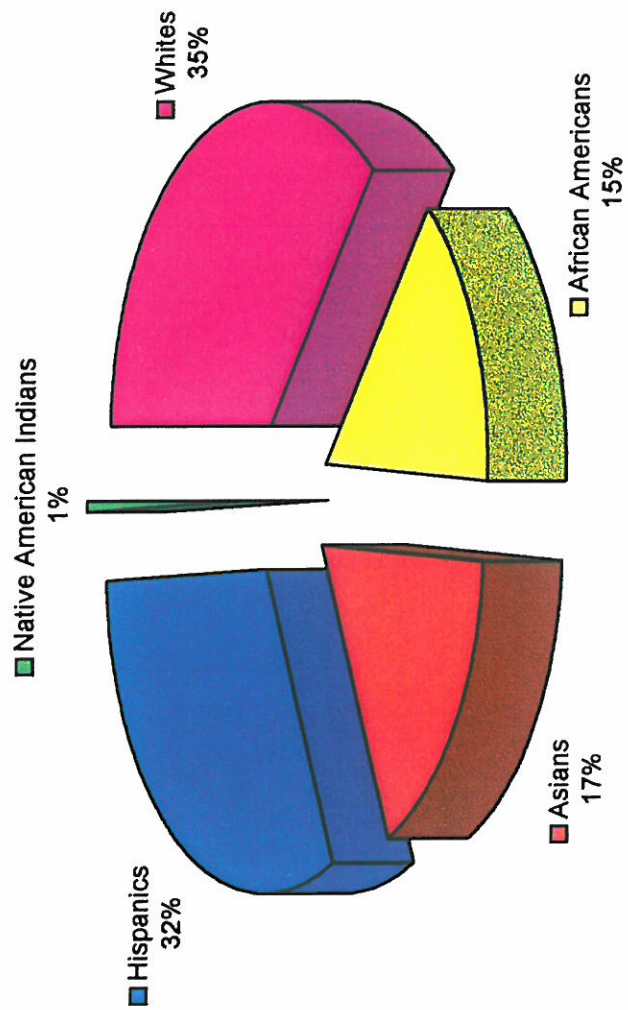
# PERCENT OF COMPLAINTS FILED BY RACE 1999



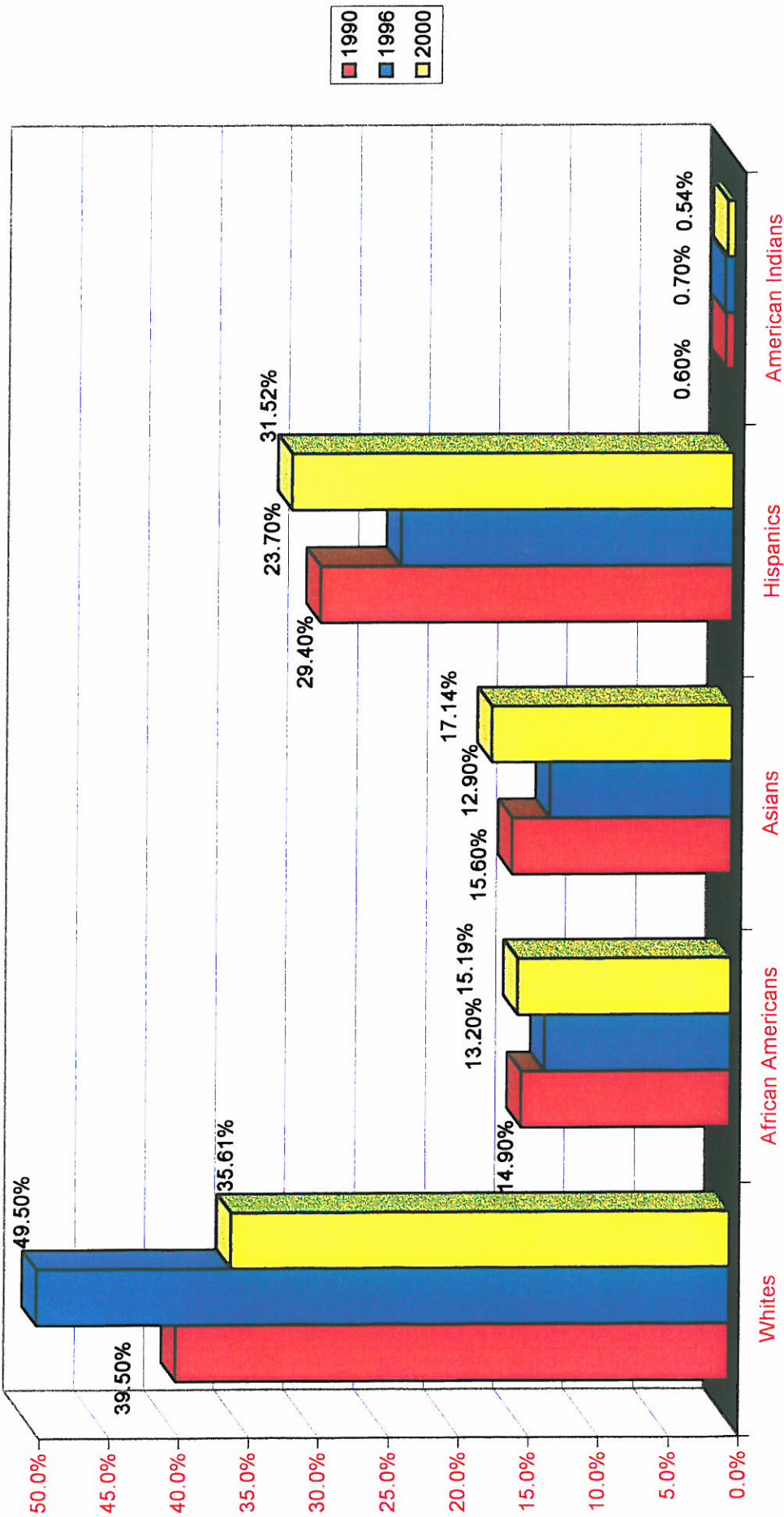


# ESTIMATED 2000 POPULATION BY RACE

450,603



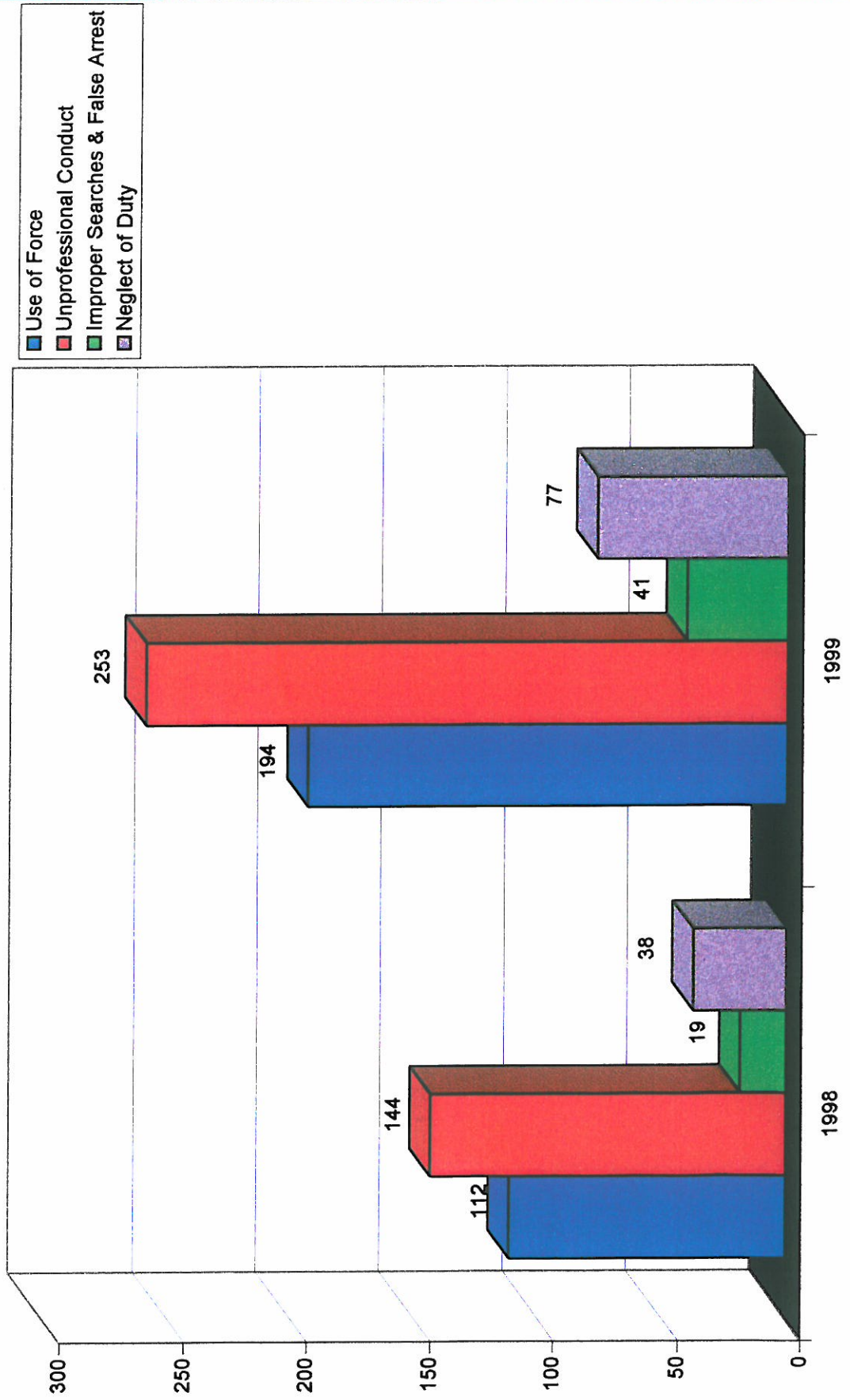
**CITY OF LONG BEACH DEMOGRAPHICS POPULATION PERCENTAGES PROVIDED  
BY ADVANCED PLANNING DIVISION  
1990 - 2000 (EST)  
450,603**



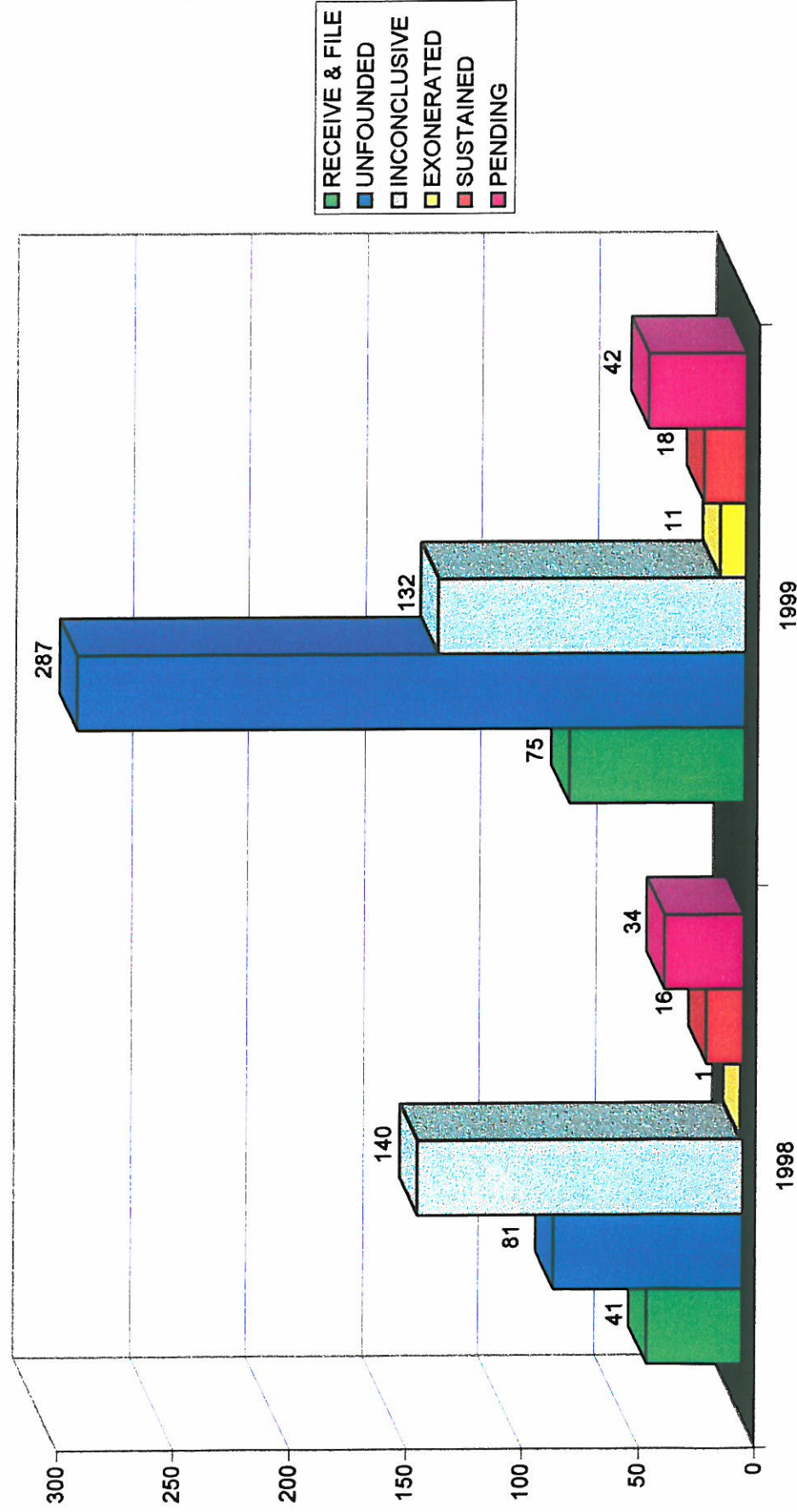
(No 1997 or 1998 Data Available)



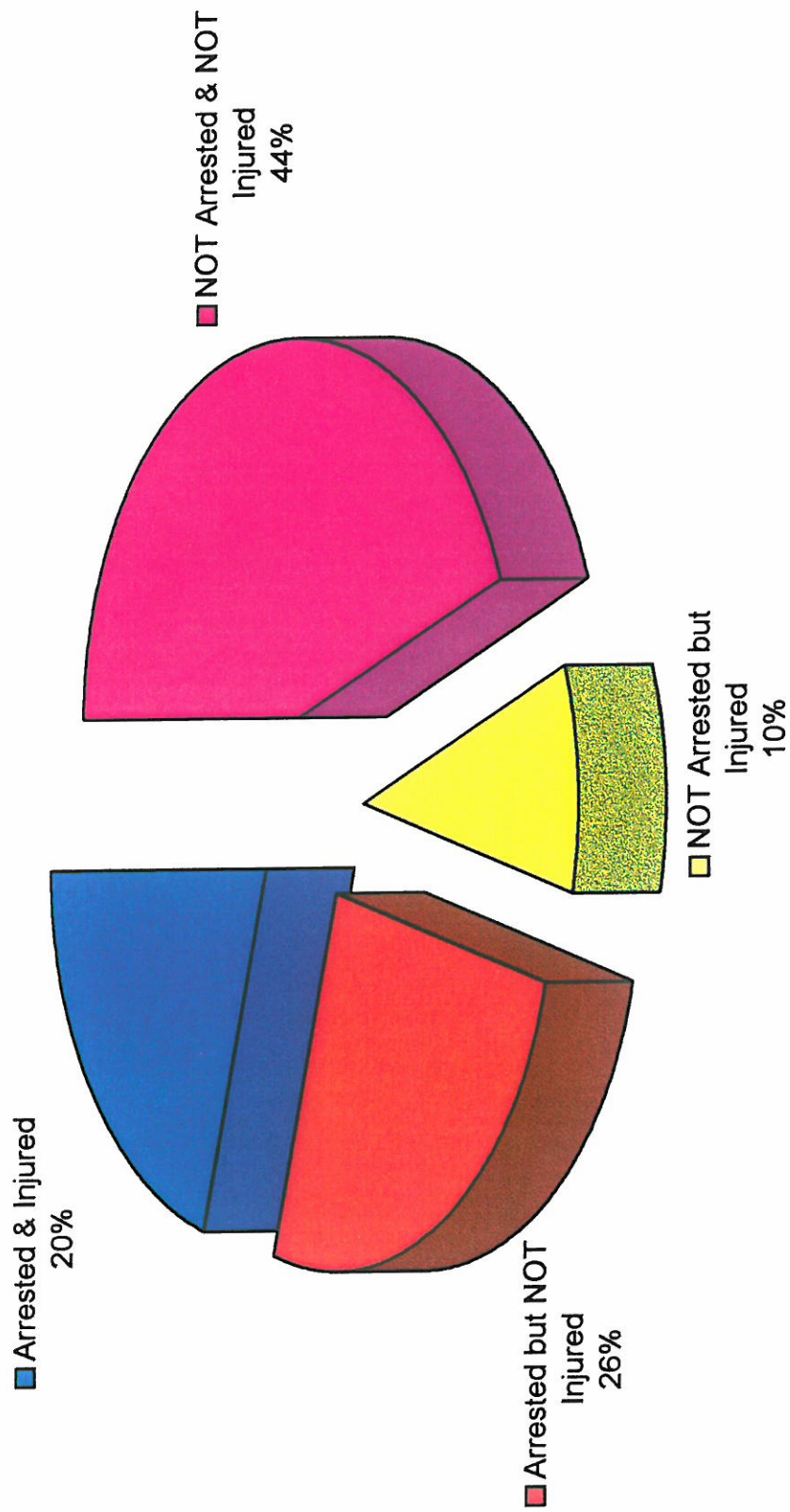
# CITIZEN POLICE COMPLAINT COMMISSION ALLEGATIONS OF MISCONDUCT 1998 - 1999



# CITIZEN POLICE COMPLAINT COMMISSION DISPOSITIONS FOR ALLEGATIONS 1998 - 1999



# COMPLAINTS RECEIVED SUMMARY ARRESTED / INJURED REPORT 1999





# COMPLAINTS BY GENDER 1999

